

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	SACV 08-0731-AG(RNBx)	Date	July 11, 2008
Title	U.S. BANCORP EQUIPMENT FINANCE V. ALAN P. BELLANCA, ET AL.		

Present: The Honorable	ANDREW J. GUILFORD
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Lisa Bredahl

None Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** [IN CHAMBERS] ORDER TO SHOW CAUSE RE: REMOVAL JURISDICTION

On July 9, 2008, Plaintiff filed a complaint in this district alleging federal subject matter jurisdiction based on diversity. Plaintiff states in the complaint that Plaintiff, a corporation, was incorporated in Oregon and that Defendants are residents of California. The complaint fails to show grounds for diversity jurisdiction for two reasons. First, the complaint fails to state where Plaintiff's principal place of business is located. Because Plaintiff is a corporation, it is required to state both the state of incorporation and its principal place of business. *See* 28 U.S.C. § 1332(c). Also, the complaint sets forth the residence, not the citizenship, of the Defendants. Diversity jurisdiction is based upon a party's *citizenship*. *See* 28 U.S.C. § 1332(a).

Accordingly, the Court orders Plaintiff to show cause in writing by July 21, 2008 why this action should not be dismissed for lack of subject matter jurisdiction. An amended complaint correcting the deficiencies will be deemed a sufficient response to this order to show cause.

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Initials of Preparer    lmb